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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Thomas J. Campana JR.

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05/15/2008

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

1800 DIAGONAL ROAD

SUITE 370

ALEXANDRIA, VA 22314

EXAMINER

PHAN, JOSEPH T

ART UNIT

PAPER NUMBER

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/090,841	Applicant(s) CAMPANA ET AL.	
	Examiner Joseph T. Phan	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 86-94 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 86-94 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, Applicant's submission filed on 02/15/2008 has been entered.

Response to Arguments

2. Applicant's arguments filed 02/15/2008 have been fully considered but they are not persuasive. These arguments are essentially the same and repeated from applicant's arguments submitted on 09/27/2006. It is noted that the Examiner has repeatedly requested and respectfully asked the Applicant to clearly show enabling support by citing specific page and line numbers in applicant's disclosure where each limitation are supported. The Examiner maintains that there is insufficient support for each claimed limitation as required under 112 1st paragraph as detailed in the action below.

The Applicant states "it is quite clear that the Examiner seems to miss the point behind Applicant's invention and the significance of the portions of the specification and drawings being referenced." Applicant further states that a message is input by a sender can be addressed to "John Doe" causing it to be delivered to "John Doe" by wireline at a first destination such as, for example, the desktop computer of "John Doe.". However, according to the present invention when a particular entry is placed in a look-up table, a message input by a sender into Applicant's invention addressed to "John Doe" normally delivered to "John Doe" by wireline at a first destination is instead redirected and delivered to "John Doe" wirelessly at a second destination, different from the first destination.

The Examiner respectfully disagrees.

First, the Examiner points out that the Applicant did not specifically cite paragraph and line

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number where this alleged teaching is supported as required by the previous and current office action. The above example provided by the Applicant does not appear in the specification or drawings as claimed.

An example provided in [paragraph 0078], page 46 of the application provides an example of how an information message is transmitted.

"Moreover, as is explained in detail below in conjunction with FIG. 11, the initiation of an information transmission from an originating processor A-N to a destination processor. A-N using an RF transmission by the RF information transmission network 302 to an individual receiver has many different options which are user friendly. The initiation of the transmission of information from an originating processor A-N to a destination processor A-N using RF transmission by the RF information transmission network 302 only requires the identification of an address of the RF receiver, which preferably is the identification number of the receiver 119 in the RF information transmission network and the designation of an address of an interface switch in the form of an address such a "TF MOBOX" which connects the electronic mail system to the RF information transmission network as described below in conjunction with FIGS. 9 and 10. The initiator of an electronic mail message, in the most user friendly form of the invention, is only required to input into the originating processor A-N an identification of the destination processor A-N which typically is in the form of a name such as "John Doe". The distributed intelligence of the system implementing the present invention, which may be located in any one of the originating processors A-N, gateway switch 14 or interface switch 304 or distributed there-between as described below with reference to FIG. 11, may be used to add the necessary address of the interface switch connecting the electronic mail system 1-N to the RF information transmission network 302 and the identification of the RF receiver 119 in the information transmission network from the inputting of only an identification of the destination processor A-N.", (emphasis added).

The originator processor is the device that creates the information message (e.g. email message).

According to the above paragraph, the originator message inputs the identifier address of the RF receiver and not the address of the "desktop" computer as cited by the Applicant in their response. The specification states that the "initiator of an electronic mail message, in the most user friendly form of the invention, is only required to input into the originating processor A-N an identification of the destination processor A-N which typically is in the form of a name such

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as "John Doe". The specification then states that the originating processor (which is where the information message is generated) adds the address information which includes the RF information of the RF receiver. Therefore, the information message is directed to the RF receiver, i.e. destination, without being redirected.

The Examiner has cited a plurality of limitations which was not supported by the Applicant's specification. For example the Applicant has not responded to how their specification supports "in response to the redirection trigger, continuously redirecting the messages from the host system to the mobile data communication device": There is nothing continuous (i.e. redirecting the messages without interruption) with the example provided by the Example that was cited by the Applicant. The specification clearly states the destination processor's host computer stores the information until the destination processor calls the host computer to retrieve the information. In both of the methodologies described above, information delivery requires periodically calling a host computer or: a mailbox at the gateway switch with mailboxes 14 to determine if new messages are present.

Hence, the Specification only supports periodic message retrieving by a RF receiver and not continuous pushing of a message from a host to a mobile communication device as claimed. Applicant has not further responded to at least how their specification supports "receiving the messages at the host system and configuring address information of the messages such that the messages use the first address associated with the host system as the originating address wherein messages generated at either the host system or the mobile data communication device share the first address".

The Examiner respectfully asks the Applicant again to clearly show support by citing specific

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page and line number where each limitation in the current claims is supported. The Examiner maintains that there is insufficient support for each claimed limitation as required under 112 1st paragraph and that it would not have been obvious to one of ordinary skill in the art, that the current claims are fully supported by the current specification.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 86-94 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 86, the limitation of
"a method of redirecting messages between a host system and a mobile data communication device..":

It is not clear how the Applicant's disclosure supports the "redirecting" feature. The Examiner's interpretation of the "redirecting" limitation is that the message would have to first be directed to a destination and then after being directed to a destination the message can be directed to an alternative destination. However, upon reviewing Applicant's disclosure, there is not any mentioning of "redirecting" the message. The description provided by the Applicant in their claim diagram of the claims (response filed on March 6, 2002) only support that the email is directed to a recipients wireless address if there is a match between the recipient's name and a

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name in the look-up table stored in the email system.

The disclosure also only states that the message sender only has to input a name e.g. "John Doe" and the processor will attempt to match the name with name in the look up table. However, the Examiner does not see how this is "redirecting" since the original message has not even been "directed" to a destination at that point. The claimed limitation specifically states "redirecting" between a host system and a mobile data communication device, the redirection of the e-mail must between the two systems. considering "configuring one or more redirection events at the host system"

Applicant states in page 2 of their claim diagram of claim 86, that the configuration of a redirection event is the designing of the email system to include the lookup table. However, the disclosure does not contemplate any "designing" feature rather the lookup table is already present in their disclosure and thus no designing employed. Therefore, it is not shown in Applicant's disclosure where "configuration of one or more redirection events" is supported.

considering "detecting that a redirection event has occurred at the host system and generating a redirection trigger":

Applicant's specification makes no mentioning of "redirection events", including the configuration and detection of the redirection events. Applicant has attempted to read this on disclosure of the lookup table; however, the lookup table in Applicant's disclosure is only used for directing the original message from the Sender to the recipient and not for redirecting. The Applicants have made the comment that the email system inherently generates a redirection trigger. However, since it has not been shown that "redirection trigger" is supported then, the email system cannot "inherently" generate a trigger.

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considering "in response to the redirection trigger, continuously redirecting the messages from the host system to the mobile data communication device":

The disclosure does not support "continuously redirecting". The support given by the Applicant states that "The storage of "John Doe" in the look up table before email message are received for "John Doe" will continuously cause all of "John Doe's" email messages to be forwarded." The Examiner cannot locate in the Applicant's specification the support for a "redirection trigger" which will cause "continuous redirecting the messages." For every new mail the Applicant's disclosed invention will process the message according the look up table and thus all messages may not continuously go to the mobile communication device. That is, the message may go to either landline or wireless communication devices. considering "receiving the messages at the host system and configuring address information of the messages such that the messages use the first address associated with the host system as the originating address wherein messages generated at either the host system or the mobile data communication device share the first address":

The Examiner does not believe that there is support for configuring the first address associated with the host system as the origination address and that the generated messages share the first address. Applicants state that originated messages are processed as conventional originated email messages and are forwarded to their destination address. However, this does not support the use of configuring address information of the messages such that the messages use the first address associated with the host system as the originating address wherein messages generated at either the host system or the mobile data communication device share the first address.

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Regarding claims 87-94, since the claims similarly recite the "redirection" limitation as well as other similar limitation, the claims are rejected for substantially the same reasons as set forth above.

If Applicant is to maintain that their original disclosure fully supports the claims, the Examiner respectfully asks the Applicant again to fully explain the "redirecting" language as well as fully state where each limitation as argued above is supported by citing specific page and line number citations for each limitation in all claims.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 86-94 are rejected under 35 U.S.C. 102(e) as being anticipated by Lazaridis US Patent 6,219,694.

Since the Applicant's claims recite substantial new matter in regards to "redirection" event, triggers and other limitations as noted above, then the effective date for priority is the date of this instant Application.

Thus claims 86-94 is anticipated by Lazaridis from which Applicant has copied the claims. See claims 1, 22-25, 28-29, and 32-33.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Fan Tsang/
Supervisory Patent Examiner, Art Unit 2614

/Joseph T Phan/

Examiner, Art Unit 2614